

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter KALISCH *et al.* Conf. No.: 8674
Application No.: 09/937,952 Examiner: Paul T. Chin
Filed: December 5, 2001 Art Unit: 3652
Attorney Docket No.: 592050-2018
Title: METHOD FOR THE SERIAL PICKING UP OF POUCHES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF DECISION ON PETITION
UNDER 37 C.F.R. § 1.137(b) TO REVIVE AN UNINTENTIONALLY
ABANDONED APPLICATION**

Dear Sir:

RELIEF REQUESTED

This is a Request for Reconsideration and Renewed Petition under 37 C.F.R. § 1.137(b) to revive the above-identified application which was unintentionally abandoned as a result of a failure to respond to the final Office dated 12 September 2006, as described in the accompanying Declaration by Jon E. Gordon. This Request for Reconsideration is particularly in response to the Decision on Petition under 37 C.F.R. § 1.137(b) mailed 02 February 2008, with the earlier Petition incorporated herein by reference.

The applicants respectfully point out that, as described more fully in the Declaration by Jon E. Gordon, neither the applicants nor anyone representing them knew before September 2008 of the existence of the final Office action mailed on 12 September 2006 or the subsequent Notice of Abandonment mailed on 7 May 2008.

Accordingly, favorable consideration of this present Renewed Petition is respectfully requested, as is revival under 37 C.F.R. § 1.137(b) due to unintentional abandonment.

STATEMENTS UNDER 37 C.F.R. § 1.137(b)

The failure to timely respond to the final Office action mailed on 12 September 2006 was unintentional.

The delay in filing the initial petition under 37 C.F.R. §1.137(b) was unintentional.

This Request for Reconsideration has been prepared and filed without intentional delay.

The applicants hereby petition for revival of this application.

The *entire* delay in filing the required reply from the due date for filing the reply until the filing of a grantable petition under 37 C.F.R. §1.137(b) was unintentional.

The Commissioner is hereby authorized to charge any fee for this paper or otherwise required to continue prosecution in this matter or to credit any overpayment to Deposit Account No. 50-0320.

**THE APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS
INTERNATIONAL APPLICATION:**

1. Authorization is given to charge the petition fee for revival of this application to Deposit Account No. 50-0320.
2. Please charge any fees that may be incurred by reason of this Request for Reconsideration or credit any overpayment to Deposit Account No. 50-0320.
3. Verified Statement:
The delay caused by the abandonment of this application was unintentional.
4. A Declaration in support of this Request for Reconsideration is enclosed.

CONCLUSION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application, any patent issuing thereon, or any patent to which this verified statement is directed.

The Commissioner is authorized to charge any deficiency or credit any overpayment in these fees for this paper to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

Date: 11 March 2009

By:



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